

### **REMARKS**

A telephone interview was held on February 7, 2006 between Examiner Tran and Applicant's counsel, with Examiner Huynh in attendance. Applicant's counsel reviewed claim 7 and showed how it was illustrated in the drawings of Figs. 7, 26 and 27. The phrase "television input" in claim 7 was discussed. Applicant's counsel sought to amend the claim so that it was clear that "television input" referred to the place where the television signal came into the home interface controller as shown for example in Fig. 27. The television signal is provided by the cable carrier 2711 and is received by diplexer 271. Applicant's counsel sought to avoid an interpretation of "television input" that would be so broad as to encompass the signals coming into the 3/4 MOD 274 in Fig. 27. The examiners agreed that inserting the language "to the home interface controller" after the words "a television input" would clarify what was meant by the television input. With regard to the phrase "modifies the full motion video content", the examiner argued that video signals go through much electronic processing which might be considered falling within the broad definition of "modifies." The examiner recommended adding language to the claim that would clarify what is meant in the claim by the term "modifies."

Claims 7-8 were rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al. The claims have been amended to fully distinguish over Johnson et al. Whereas the rejection attempted to read "the television input" on the input to the modulator 205 in Fig. 2 of Johnson et al., claim 7 has been amended to clarify that the television input referenced in the claim is that received by the home interface controller. Thus, in order to anticipate claim 7 Johnson et al. would need to show modification of the full motion video content of signals before those signals get to the input to the up/down converter 201 in Fig. 2. Actions with respect to the Johnson terminal that adjust the volume, select a channel or change a channel merely modify the display or the volume on the television. The signal received by the input to the terminal is not changed by these actions. The system manager 12 of Johnson stores screen templates so that the screens can be generated locally at the interactive terminal or, optionally, in a locally generated video modulator 11. When the screen is being provided by the interactive terminal for display at the television set, subscriber interaction is with the local terminal rather than

interacting over a data link in the cable television system with a remote interactive process. This local interaction between the subscriber and the screen template allows for instructions to be provided to the interactive terminal to tune into a selected channel frequency. This local interaction disclosed by Johnson et al. fails to disclose, suggest or teach the interactivity over a data link in the cable television system with an interactive process as taught and claimed by Applicant.

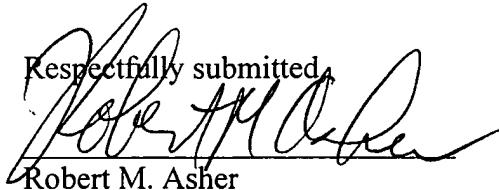
Even when communication is established with an optional modulator 11, it does not effect change to a signal capable of full motion video transmitted to the settop terminal rather, the data from the modulator is sent over a separate data link or over horizontal or vertical interval that is not capable of full motion video. As Applicant's counsel explained in the interview, an analog television channel supports a signal carrying the full motion video content in addition to horizontal and vertical interval signals that allow separately for transmission of data and sync signals. In Johnson, data from the modulator is sent over a separate data link or a horizontal or vertical interval that is not capable of full motion video content. To the extent that Johnson might disclose remote interaction it only does so for data communication over a separate data link or horizontal or vertical interval such that the full motion video content of the signal for display on the television is unchanged. For the most part, Johnson discloses interactivity with the interactive terminal itself and only affects the signal after it has been received by the television input to the terminal. For these reasons, Applicant submits that claim 7 as amended and all claims depending therefrom should be allowed.

To comply with the examiner's request to further clarify "modifies" in claim 7, the claim has been amended. Claim 7 now goes on to specify that the effect of the modification is "that changes get displayed on the television in response to the subscriber interaction." Thus, in accordance with claim 7, the home interface controller permits a subscriber to provide a data signal to the selection input. The signal interacts with an interactive process over the data link in the cable television system. The interaction modifies the full motion video content of the signal capable of full motion video before it gets to the home interface controller. The changes to the full motion video content get displayed to the subscriber on the television. Johnson does not show a controller that works in this manner. Applicant submits that claim 7 as amended is patentable over the art of record.

Claims 9 and 10 were rejected over Johnson as applied to claim 7 above and in view of Tindell et al. Tindell is merely recited for disclosing data compression of digital video signals and does not satisfy the deficiencies of Johnson. Thus, for the reasons cited above with respect with to claim 7 and 8 dependent claims 9 and 10 should be allowed.

For all the foregoing reasons, Applicant submits that the claims are patentable over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,



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